IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

MACA.No. 313 of 2007(A)

O.P(MV).NO.998/2003 OF MOTOR ACCIDENT CLAIMS TRIBUNAL, PALA.
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APPELLANT/PETITIONER:

ANIL GEORGE, S/O.GEORGE,
KALLUMKAL HOUSE, PALA P.O. MEENACHIL TALUK.

BY ADV. SRI.ABRAHAM MATHEW.

RESPONDENTS/RESPONDENTS:
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1. **SUKUMARAN K.S. S/O.KRISHNAN,**
   PANAMATTATHIL HOUSE, PONAD, KAROOR.

2. **THOMAS KOLANKANNY, KOLANKANNY HOUSE,**
   AVITTATHUR P.O. THRISSUR.

3. **THE UNITED INDIA INSURANCE CO.LTD.,**
   REPRESENTED BY ITS MANAGER, PONKUNNAM BRANCH.

BY ADV. SRI.S.ARUN RAJ.

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 11/06/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.A.C.A.No.313 OF 2007

Dated 11th June, 2007

JUDGMENT

Koshy,J.

Appellant at the age of 28 met with an accident while he was travelling as a pillion rider in a motor cycle. The medical certificate produced shows that there is 8% permanent disability. Considering the fact that his emoluments is not affected due to the accident and his salary certificate was not produced, the Tribunal has taken only Rs.2,000/= per month after retirement. Rs.15,000/= was awarded for pain and suffering and Rs.10,000/= for loss of amenities. Total compensation awarded was Rs.46,230/= with interest. Considering the facts that the appellant did not suffer any loss of earning power, the Tribunal after taking into account of his disability awarded Rs.15,360/= for permanent partial disability and the total compensation awarded was Rs.46,230/= with 8% interest, we are of the opinion that just and reasonable compensation was awarded and no interference is required in the same.

The appeal is dismissed.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

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